

REMARKS

Applicant respectfully traverses and requests reconsideration.

Applicant wishes to thank the Examiner for indicating that claims 18, 22, 23, 34 and 36 are objected to but apparently would be allowable if written in independent form. Accordingly, Applicant has added the new independent claims.

Claims 1-25 stand rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. In particular, it is alleged that claim 1 presents a method of issuing certificates that is related to a mathematical operation not tangibly embodied. Also, claim 16 is directed to an apparatus performing the method of claim 1 and claim 16 allegedly appears to be directed towards a computer program per se. The dependent claims are rejected because of their dependencies on 1 and 16. Applicant respectfully requests reconsideration in view of the below remarks.

Claim 1 requires, among other things, collecting at least one cross certificate associated with an anchor certificate issuing unit...and obtaining at least one certificate issuing unit public key and an associated unique identifier for a cross certified certificate issuing unit.... The method is not solely a mathematical operation but to the contrary requires the obtaining of cross certificates. This may include, for example, reading cross certificate information from memory, requesting information from a repository, or any other suitable operation. As such, claim 1 meets the statutory subject matter required under 35 U.S.C. §101.

As to claim 16, the claimed generator must also collect and obtain the information as required. As such, the claim is also believed to be directed to statutory subject matter. It is alleged that claim 16 is also directed toward a computer program per se. Applicant respectfully requests reconsideration since the claim is specifically directed to “an apparatus” and includes a signed certificate set generator which as noted in the specification is structure, in one example, in

a certificate issuing unit or any other suitable structure. Accordingly, the withdrawal of this rejection is respectfully requested.

Claim 6 has been objected to due to a typographical error. The claim has been amended to correct this typographical error.

Claims 1-7, 12-13, 16-17, 19-21, 24-33, 35 and 37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over “An Introduction to Cryptography” by Network Associates, Inc. (NAI) in view of Handbook of Applied Cryptography by Menezes et al. (Menezes). The office action cites page 33, paragraphs 1-2 of the NAI book as allegedly teaching the collecting of at least one certificate associated with an anchor certificate issuing unit and obtaining the public key and associated unique identifier for the certificate issuing unit identified by the certificate and also cites page 33, paragraph 1 as teaching creating a signed certificate set (apparently the key ring) identifying certificate issuing units determined to be trusted by the anchor certificate issuing unit. However, the cited portion does not appear to teach, among other things, creating a signed certificate set identifying certificate issuing units that are trusted by an anchor certificate issuing unit based on a cross certificate nor collecting certificates for a community of interest. For example, the cited portion on page 33 is directed to a user signing a single key of a person who is listed in their key ring. The key ring is not signed but appears to merely be a list of public keys or public key certificates which, for example, are stored in encrypted form. The set as claimed must include two or more certificate issuing units determined to be trusted by an anchor certificate issuing unit.

For example, the cited portion appears to merely teach that a user may sign the key of the user it trusts. It does not appear to teach collecting certificates identified in a cross certificate or identified in another certificate as required by the claim nor creating a signed set of information

that identifies certificate issuing units in a group. To the contrary, it appears to teach that each individual trusted user may get individually signed if the user so desires. Accordingly, Applicant respectfully submits that the independent claims are in condition for allowance.

Moreover, the Menezes reference has been cited as teaching that a cross certificate contains a public key of another certificate authority. However, the Menezes cited portion does not appear to describe the collecting of cross certificates for an anchor CA nor creating any kind of a signed certificate set that identifies certificate issuing units determined to be trusted by the anchor certificate issuing units as required by the claims. Accordingly, the independent claims 1, 16 and 30 are also believed to be allowable for this reason.

Claims 2, 27 and 31 are also believed to be allowable since there does not appear to be any teaching or suggestion of a signed certificate set which contains information relating to multiple trusted CAs. Accordingly, these claims are in condition for allowance.

As to claim 3, it is alleged that in NAI, page 31, paragraph 1 allegedly teaches collecting one of a plurality of cross certificates by obtaining chained cross certificates from a plurality of certificate issuing units and creating a signed certificate set therefrom. However, as noted above, the NAI reference does not appear to teach or suggest, among other things, the creation of a signed certificate set. Accordingly, this claim is also in condition for allowance.

As to claims 4, 19, 28 and 32, Applicant respectfully reasserts the relevant remarks made above and accordingly, these claims are also in condition for allowance.

The other dependent claims are also believed to be allowable since they add additional novel and non-obvious subject matter and also at least because they depend from an allowable base claim.


Claim 14 stands rejected under 35 U.S.C. §103(a) as being unpatentable over NAI in view of Menezes in further view of Murray. Applicant respectfully reasserts the relevant remarks made above with respect to claim. Accordingly, these claims are also in condition for allowance.

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over NAI in view of Menezes as applied to claim 1 and further in view of Federal Bridge. Applicant respectfully reasserts the relevant remarks made above with respect to claim. Accordingly, these claims are also in condition for allowance.

In view of the above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Date: Aug. 6, 2004

By: 
Christopher J. Reckamp
Registration No. 34,414

Vedder, Price, Kaufman & Kammholz, P.C.
222 N. LaSalle Street
Chicago, Illinois 60601
Phone: (312) 609-7599
Fax: (312) 609-5005
Email: creckamp@vedderprice.com